UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: OPENAI, INC., COPYRIGHT INFRINGEMENT LITIGATION This Document Relates To: ZIFF DAVIS, INC. et al v. OPENAI, INC. et al., No. 1:25-cv-04315	1:25-md-03143 (SHS) (OTW) **DECLARATION OF ANDREW M. GASS IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

I, Andrew M. Gass, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1.   I am a partner at Latham & Watkins LLP, located at 505 Montgomery Street Suite 2000, San Francisco, California 94111, which represents OpenAI, Inc., OpenAI GP, LLC, OpenAI, LLC, OpenAI OpCo LLC, OpenAI Global LLC, OAI Corporation, and OpenAI Holdings, LLC (together, "Defendants") in the above-captioned litigation. I submit this declaration in support of the Defendants' Motion to Dismiss Plaintiffs Ziff Davis, Inc., Ziff Davis, LLC, IGN Entertainment, Inc., Everyday Health Media, LLC, Mashable, Inc., and CNET Media, Inc.'s First Amended Complaint (the "Ziff Davis First Amended Complaint").

2.   Attached hereto as Exhibit A is a true and correct copy of the Ziff Davis First Amended Complaint.

I declare under penalty of perjury that the forgoing is true and correct.

Executed on July 30, 2025 in Healdsburg, CA.

By: */s/ Andrew M. Gass*
         Andrew M. Gass

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